REMARKS

In the Non-Final Office Action mailed November 4, 2003, the Examiner reviewed claims 1-7, 9-15 and 17-20. Claims 1 and 10-13 have been allowed. The Examiner further rejected claims 18-20. Claims 2-7, 9, 14, 15 and 17 are withdrawn from consideration. In addition, Applicant has cancelled claim 18. Applicant now believes that claims 1, 10-13 and 19-20, as well as new claim 21, stand in condition for allowance.

With respect to claim 19, the Examiner rejected this claim based on the combination of *Castrilli* (4,884,790) in view of *Holzheimer* (5,303,907). The Examiner acknowledges that *Castrilli* fails to show the passive structure as a bushing. The Examiner seeks to supply this missing element through *Holzheimer*. Applicant contends this combination is improper. Specifically, nothing within *Castrilli* or *Holzheimer* provides motivation or suggestion for their combination. In fact, the torsion spring of *Holzheimer* works in an entirely different manner from the structure of *Castrilli*. Indeed, the torsion spring of *Castrilli* increases stiffness of a bar (not a stabilizer bar) by moving the bar axially to engage the different sleeves (36, 38) to offer two different spring rates. One of ordinary skill in the art would not look to the bushing of *Holzheimer* because the bushing works in entirely different manner than the structure of *Castrilli*. For this reason, claims 19 and 20 are in condition for allowance.

New claim 21 requires "said passive structure has an inner layer and an outer layer, said inner layer softer than said outer layer to increase the level of stiffness of said stabilizer bar as said passive structure axially twists." This feature is not shown by either reference either alone or in combination. Indeed, as explained above, the spring rate of

the bar of *Holzheimer* changes by axial displacement, not axial twisting of the bar. Moreover, inner sleeves 36, 38 of *Holzheimer* are made of the same material as outer shell 34, which is "a rigid material, such as metal." "Elastomeric member 32" is made of "an elastomer, such as vulcanized rubber or other elastomeric polymer...." [*Holzheimer*, column 3, ll 16-26]. Accordingly, *Holzheimer* does not teach an "inner layer softer than said outer layer." For this additional reason, claim 21 is in condition for allowance.

For the above reasons, Applicant requests allowance of claims 1, 10-13, and 19-21.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on January 7, 2004.

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Theresa M. Palmateer

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